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Attorneys for Plaintiffs Laborers Trust Funds

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

BOARD OF TRUSTEES OF THE
LABORERS HEALTH AND WELFARE
TRUST FUND FOR NORTHERN
CALIFORNIA; BOARD OF TRUSTEES OF
THE LABORERS VACATION-HOLIDAY
TRUST FUND FOR NORTHERN
CALIFORNIA; BOARD OF TRUSTEES OF
THE LABORERS PENSION TRUST FUND
FOR NORTHERN CALIFORNIA; and
BOARD OF TRUSTEES OF THE
LABORERS TRAINING AND RETRAINING
TRUST FUND FOR NORTHERN
CALIFORNIA,

Plaintiffs,

vs.

KURT ALBIN ERNST

Defendants.

Case No.: CV 08 0355 PJH

**STIPULATION TO CONTINUE EARLY
NEUTRAL EVALUATION; ORDER
THEREON**

Date: April 28, 2009
Time: 10:00 a.m.
Location: ADR; 16th Floor

STIPULATION

IT IS HEREBY STIPULATED by and between Plaintiffs Laborers Trust Funds and Defendant Kurt Albin Ernst, through their respective counsel, that the parties are continuing with informal discovery and discussions regarding an audit conducted by Plaintiffs Trust Funds and the amount of delinquent contributions, if any, due and owing Plaintiffs Trust Funds.

This Court has ordered that Early Neutral Evaluation must be completed by May 6, 2009. Currently, the parties are set for ENE on April 28, 2009.

The parties request a short continuance of 30 days in order to attempt to resolve the outstanding issues regarding the audit conducted by Plaintiffs Trust Funds and the trust fund contributions allegedly due and owing Plaintiffs Trust Funds.

DATED: April 20, 2009

BULLIVANT HOUSER BAILEY PC

By /s/
 Ronald L. Richman
 Susan J. Olson

Attorneys for Plaintiffs Laborers Trust Funds

DATED: April 20, 2009

By /s/
Kenneth D. Robin

Attorneys for Defendant Kurt Albin Ernst

ORDER

Good cause appearing, it is so ORDERED that the parties shall up to and including June 5, 2009 to complete Early Neutral Evaluation.

April 21
DATED: ~~June~~ ___, 2009

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